

**THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

INSITUFORM TECHNOLOGIES, INC.,)	
)	
Plaintiff,)	
)	
v.)	Case No. 04 10487 GAO
)	
AMERICAN HOME ASSURANCE COMPANY,)	
)	
Defendant.)	

**INSITUFORM'S OBJECTIONS TO AMERICAN HOME'S RULE 26(a)(3)
DISCLOSURE**

Plaintiff, Insituform Technologies, Inc., by its counsel of record, objects to American Home's December 21, 2007 disclosure pursuant to Fed.R.Civ.P. 26(a)(3) and Local Rule 16.5 as follows:

A. Witness To Be Called.

Insituform has no objection to American Home's proposed witness list.

B. Witnesses Whose Testimony Is Expected To Be Presented At Trial By Means Of Deposition.

Insituform has no objection to American Home's disclosure.

C. Trial Exhibits.

Insituform makes the following objections:

Trial Exhibit No.	Description	Insituform's Objection
DEF 1	Campos Deposition Exhibit 11 Regarding Equipment Burden	F.R.E. 802
DEF 2	Campos Deposition Exhibit 12 Regarding Summary of Fringe Benefits	F.R.E. 802
DEF 3	Expert Report from Chris Campos dated May 22, 2006	F.R.E. 802

DEF 4	Affidavit of Chris Campos dated September 6, 2006	F.R.E. 106, 402, 613, 802
DEF 5	Affidavit of Thomas Porzio dated September 7, 2006	F.R.E. 402, 613, 802
DEF 6	Insituform's First Supplemental Answers to American Home's First Set of Interrogatories dated June 22, 2006	F.R.E. 402, 403, 802, 901
DEF 7	Letter dated January 18, 2005 from Charles L. Philbrick to Gregory P. Deschenes	F.R.E. 106, 402, 802, 901
DEF 8	Massachusetts Water Resources Authority Specification for East Boston Branch Sewer Rehabilitation, MWRA Contract No. 6840 (Porzio Deposition Exhibit 4)	F.R.E. 106, 402, 802, 901
DEF 9	Subcontract Agreement between D'Allesandro Corp. and Insituform Technologies, Inc. dated April 24, 2003 (Porzio Deposition Exhibit 5; marked ITI-AIG 012207 to 012216)	F.R.E. 106, 402, 802, 901
DEF 10	E-mail dated October 8, 2003 from Thomas Porzio to various recipients (marked ITI-AIG 013460)	F.R.E. 402, 802, 901
DEF 11	E-mail dated October 9, 2003 from Thomas Porzio to various recipients (marked ITI-AIG 013459)	F.R.E. 402, 802, 901
DEF 12	Letter dated December 16, 2003 from Thomas Porzio to Jon D'Allesandro dated December 16, 2003 (Porzio Deposition Exhibit 11; marked ITI-AIG 003217)	F.R.E. 402, 802, 901
DEF 13	Letter dated January 13, 2004 from Thomas S. Rooney, Jr. to Michael Hornbrook (Porzio Deposition Exhibit 12; marked ITI-AIG 012227 to 012231)	F.R.E. 402, 802, 901
DEF 14	Letter dated January 26, 2004 from F.G. Valencia to Jon D'Allesandro (Porzio Deposition Exhibit 13; marked ITI-AIG 005777 to 005780)	F.R.E. 402, 802, 901
DEF 15	Settlement Agreement between D'Allesandro Corp. and Massachusetts Water Resources Authority dated March 10, 2004 (Porzio Deposition Exhibit 14)	F.R.E. 402, 802, 901
DEF 16	Letter dated June 4, 2004 from Thomas Porzio to Jon D'Allesandro (Porzio Deposition Exhibit 16; marked D 08812)	F.R.E. 402, 802, 901

DEF 17	Letter dated June 8, 2004 from Brian Albert to Michael DelPrete (Porzio Deposition Exhibit 17; marked D 08840)	F.R.E. 402, 802, 901
DEF 18	E-mail dated December 19, 2003 from Tom Porzio to Tino Valencia (Porzio Deposition Exhibit 24; marked ITI-AIG SUPP 00162)	F.R.E. 402, 802, 901
DEF 19	E-mail from Tom Porzio to Rick Baxter dated February 23, 2004 (Porzio Deposition Exhibit 25; marked ITI-AIG SUPP 00295 to 00297)	F.R.E. 402, 802, 901
DEF 20	Memorandum from Tom Porzio to Greg Laszczynski dated March 6, 2004 (Porzio Deposition Exhibit 26; marked ITI-AIG SUPP 00321 to 00326)	F.R.E. 402, 802, 901
DEF 21	Memorandum from Tom Porzio to Rick Baxter dated August 13, 2004 (Porzio Deposition Exhibit 27; marked ITI-AIG SUPP 00528 to 00530)	F.R.E. 402, 802, 901
DEF 22	E-mail dated February 22, 2006 from Bob Kelley to Chris Campos (Marked C&S 0005)	F.R.E. 402, 403, 802
DEF 23	Letter dated April 20, 2006 from Bob Kelley to Charles Philbrick, Stan Martin and Chris Campos (Defendant's Exhibit 7; marked C&S 0108)	F.R.E. 402, 403, 802
DEF 24	Insituform's Form 10-K for the Fiscal Year Ending December 31, 2003 (marked ITI EBBS 500872-501074)	No Objection
DEF 25	Insituform's 2003 Annual Report (marked ITI EBBS 500000-500062)	No Objection

Insituform reserves the right to assert any additional objections to any exhibits identified or offered into evidence by American Home.

January 4, 2008

Respectfully submitted,

Insituform Technologies, Inc.

By: s/Charles L. Philbrick
One of its attorneys

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CERTIFICATE OF SERVICE

I hereby certify a true and correct copy of the above document was served upon the attorney of record for each party by Electronic Mail on January 4, 2008 and thereafter upon all parties registered for electronic notification via the Court's electronic filing system.

s/Charles L. Philbrick

Charles L. Philbrick

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